

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JUN 03 1998
 Returned to applicant for correction JUN 19 1998
 Corrected application filed AUG 17 1998
 Map filed AUG 17 1998

The applicant Julian C. Smith, Jr., and Joanna Smith, hereby make application for permission to change the Point of Diversion, Place of Use, and Manner of Use of a portion of water heretofore appropriated under Permit 50138 Certificate 14176

1. The source of water is Underground
2. The amount of water to be changed 0.0149 cfs (2.48 ac-ft)
3. The water to be used for Commercial (Nursery)
4. The water heretofore permitted for Irrigation and Domestic
5. The water is to be diverted at the following point SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23 T.17N., R.19E. M.D.B.&M. or at a point which bears N 13° 20' 50" E 1,768.66 feet to the NE corner of said section 23.
6. The existing permitted point of diversion is located within SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T.16N., R.19E., M.D.B.&M., or at a point from which the S $\frac{1}{4}$ corner of said Section 25 bears S. 78° 02' 39" E a distance of 2179.36 feet.
7. Proposed place of use A portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23 T.17N., R.19E. M.D.B.&M.
8. Existing place of use Portions of the N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 36 and the S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 25 T.16N., R.19E., M.D.B.&M. Acreage stripped is 0.63 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25 T.16N., R.19E. M.D.B.&M.
9. Use will be from Jan 1 to Dec 31 of each year.
10. Use was permitted from Jan 1 to Dec 31 of each year.
11. Description of proposed works Existing 8-inch well with submersible pump and new pipe lines to place of use.
12. Estimated cost of works \$1,000
13. Estimated time required to construct works 10 days
14. Estimated time required to complete the application of water to beneficial use one year
15. Remarks: See attached "Water Usage"

By James P. Haddan (agent)
 s/James P. Haddan
 933 Woodside Dr. #202
 Carson City, Nevada

Compared my/ cms dl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 50138, Certificate 14176 is issued subject to the terms and conditions imposed in said Permit 50138, Certificate 14176 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0149 cubic feet per second, but not to exceed 0.821 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

January 7, 2000

Proof of completion of work shall be filed before:

February 7, 2000

Application of water to beneficial use shall be filed on or before:

January 7, 2001

Proof of the application of water to beneficial use shall be filed on or before:

February 7, 2001

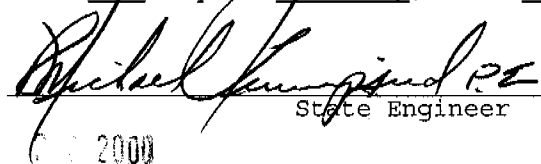
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 7th day of January, A.D. 1999


State Engineer

Completion of work filed 2000

Proof of beneficial use filed FEB 20 2003

Cultural map filed _____

Certificate No. 16209 Issued AUG 19 2003